

a skin diving snorkel. The valve's opening is in-line with the snorkel's longitudinal axis, thereby providing a substantially straight and unrestricted respiratory flow path. The valve consists of a soft diaphragm mounted on a compound linkage. The linkage is attached to the conduit adjacent the valve opening. A float activates the valve linkage whenever the snorkel starts to descend below the water surface. By the time the valve end of snorkel is underwater, the linkage has moved the diaphragm over and against the valve opening thereby preventing water from entering the snorkel. Conversely, when the valve end of the snorkel is above the water surface, the linkage moves the diaphragm to the side of the snorkel, completely away from the opening and out of the respiratory flow path.--

In the claims:

Page 13, claim 1, line 5, replace "the water surface" with --a water surface--.

Page 13, claim 1, line 23, replace "the movement" with --movement--.

Page 15, claim 14, line 27, replace "the movement" with --movement--.

REMARKS and ARGUMENTS

Claims 1- 18 remain in the application. No claims have been canceled. No new claims have been presented. Claims 1 and 14 have been amended.

Claims 1- 18 were rejected under 35 USC 103(a) as being unpatentable over Chen-Lieh (6,516,797) in view of Ferraro (2,815,751).

Chen-Lieh discloses an ordinary snorkel having a straight tube 10 with internal valve 40 located close to mouthpiece 20. Internal valve 40 selectively closes during exhalation thereby forcing exhaled air to flow through exhaust valve 30. Chen-Lieh does not teach or suggest that internal valve 40 will prevent water from entering main tube 10.

Chen-Lieh comments "a device preventing entrance from water can be